



# City of Granite City

Building and Zoning Dept. 2000 Edison Granite City, IL 62040 Phone:(618) 452-6218 FAX:(618)452-6246

## PLAN COMMISSION MINUTES AUGUST 2, 2007

1. CALL TO ORDER AND ROLL CALL Chair Sharon Ryan called the meeting to order with roll call at 7:00 p.m.

### MEMBERS PRESENT:

Jack Taylor Don Luddeke  
Frank Greathouse Sharon Ryan  
Sandy Crites Ben Ward  
Shirley Howard

### MEMBERS ABSENT:

John Janek (ex)  
Jerry Harrington Jr.  
Mark Wilson  
Mark Davis (ex)

OTHERS PRESENT: Alderman, Dan McDowell, Brenda Whitaker, Economic Development Director John Ferry, Asst. City Attorney Laura Andrews, Zoning Admin. Steve Willaredt, board secretary, petitioners, attorneys, and residents.

2. Pledge of Allegiance, Comments, Swear in: Chair Ryan swore in those present, explained the board is a recommending body to the City Council who has final say on all petitions.
3. Approval of Minutes, and Agenda, Motion by Crites, second Greathouse to approve minutes and agenda, motions approved by common consent.
4. Council Report - Alderman McDowell no July meeting no report.

### 5. PUBLIC HEARING: Rezone M-3 MANUFACTURING DIST. to Planned Unit Development

Chair Ryan opened the Public Hearing. Attorney Laura Andrews read the public hearing notice published in the Granite City Journals July 11, 2007. Notice and property description are on record and on file.

John Ferry, Economic Development Director explained the Planned Unit Development was brought forward by City Council members. The idea is to connect with the C-6 Niedringhaus corridor in Lincoln Place and to the Downtown P.U.D. It is important to improve aesthetic quality of the area connecting the two districts; it is of the up most importance to make the area as attractive as possible to developers.

*Note: (Cara Metals/G.C. Pickling property is not part of the P.U.D.)*

Attorney John Papa represented 2 owners with sales contracts pending in the proposed P.U.D. They are not opposed as long as they aren't stopped from marketing and selling their properties. Mr. Papa commented several times that he thought the proposed P.U.D. was a commercial development he called witnesses to give testimony. Answers/comments to his prompts and questions included the following:

Linda Atkinson, licensed Real Estate Appraiser, lives in Edwardsville and works at Land American Evaluation Corporation, 165 N. Meramac Ste 200 St. Louis, Mo., a public company. Her qualifications include an MAI, she is licensed in Missouri and Illinois, and has been in practice since 1977.

- 1) The Cann Co. is an industrial property with about a 70,000 sq building on about 9 acres with an active rail service.
- 2) Kern's property is about 6.7 acres with improvements (buildings) before the 2002 fire. A 5 story warehouse remains, it also has rail service. Both properties are industrial and most surrounding areas are industrial.
- 3) The existing uses are M-3 and although industrial is allowed, with a P.U.D., it is geared more towards commercial than industrial. Both owners have buyers for industrial use.
- 4) With redevelopment there might be limited demand for the properties, with a potential inability for heavy industrial use.
- 5) The Cann property has been listed for several years. There is a potential buyer for continue industrial use. Under a P. U. D. a likely buyer would have to redevelop the property. Personally as an appraiser, looking at the area, there is a limited demand for redevelopment, in addition any buyer would likely incur cost to demolish existing buildings, significantly diminishing the value from where it is today, based upon land values in the area.
- 6) It is possible under rezoning, if the new buyers are not able to use it as intended, the sale would not occur and there would be limited demand for a future buyer. Therefore the owners would be harmed.

7) It is my understanding that the new buyer would be supplying materials to some existing businesses in the area such as GC Steel and ASF.

8) There would be employment and jobs created. I believe the highest and best use of the properties is industrial.

*Note: (testimony assumed redevelopment would be commercial not industrial)*

Alderman McDowell, stated that it is our understanding that the P. U. D. is a manufacturing use not a Arts and Entertainment, Commercial or portion of that. It is strictly manufacturing so those statements (that the use would change to commercial) are irrelevant to this issue. Mr. Papa disagreed saying there were no districts outlined on the map he had.

Mr. Papa called: Dale Cann, 4988 Old Carpenter Rd. Edwardsville, IL, owner of Benton Drumming at 1801 Benton St. Mr. Cann showed photos of his area, property lines, Mr. Kern's area, and rail spurs.

- 1) The photo was taken when the fire occurred and Mr. Kern's property burnt to the ground.
- 2) My property has been for sale for several years. We had potential buyers but never closed a deal. It is strictly an industrial area with a rail spur. Mr. Kern's property also has a rail spur and that makes it desirable and very convenient for industrial operations.
- 3) The amount of acreage and how it is laid out offers the buyers the rail upgrade, location, good rail/transportation, and ability to supply needs to local customers which are centrally located.
- 4) We originally put it up for sale for \$750,000 but wasn't successful, currently selling to the Shaperio's for \$391,000. If unable to use our property for their industrial use, they will not buy the property.
- 5) I know of no one who was interested in this property for any commercial or redevelopment use, we had an offer for a feed processing business all others were industrial.

Laura Andrews asked Mr. Cann "was an offer was made from Rail Experience". He responded that yes they made an offer but the deal didn't go through. She asked what their last offer was. He replied that he thought it was \$378,000 or \$380,000.

Mr. Papa called: Bill Dunham, of St. Jacob, IL, General Manager for Delivery Network.

- 1) He said Delivery Network is a public warehouse storing product for several companies and Port District Foreign trade Zone 31.
- 2) I only know about the current offer for a rail service. I understand they plan to rebuild passenger cars and they have rail service.
- 3) I don't know the purchase price but believe there are two, one for \$260,000 just land, with building \$420,000, I think.
- 4) The property is about 6 or 7 acres.

Mr. Papa called: Mr. Jeff Collier, Real Estate Appraiser, Greenville, IL, office 226 W. Main Collinsville, IL.

- 1) I appraised both properties; the Kern property before it burned, and Cann's property years ago.
- 2) Zoning is a principle factor of the highest and best use. It is a critical aspect to consider if you decrease the number of uses, it could substantially impact the value, negatively.

Mr. Papa summarized: This M-3 has been in effect since the Comprehensive Plan was adopted. Mr. Cann has a contract, the buyer's conditions are for metal recycling. He quoted the zoning ordinance and said abutting residential areas are zoned light industrial so that shouldn't affect this property. (*Junk yards are not allowed within 500 ft. of residential*) He said the P.U.D. no longer has a residential classification although residential is allowed. He said developments are to be done to compliment the adjacent areas. He contended the only compliment to this property is industrial and there is no basis to deny these businesses at those locations. This would cause a taking of the property. These properties would maintain the integrity of other industrial businesses. He said we oppose a P.U.D. expanding into the industrial area if, in fact, it means the council and commission takes action to deny these two perspective purchases, if not, we would withdraw any objections to the P. U. D. No other witnesses called.

#### IN FAVOR OF EXPANSION OF P.U.D.

Robert Stoppkotte owner of the roller rink at 1823 Cleveland addressed the board. He said he has \$250,000 invested and plans to invest another \$350,000. He said I don't want a junk yard in my back yard. If a P.U.D. would stop a junk yard he is in favor. We don't need another Chemetco in Granite City. This is a junk yard.

David Miller with architectural firm Trivers Associates of Edwardsville, said he just happened to be here tonight that he is working on the YMCA project and other projects in Granite City and didn't plan on speaking. But he had some renderings of what the Kern property would look like. The operation is for excursion and display of antique passenger cars. There will be a storage facility and some servicing but they will not be rebuilding at that location, rebuilding will happen in Madison, IL. This will be more of a transportation museum type area.

Harry Chronister of 1625 Olive St. asked about his property. It was explained that sale of his property will not be affected if it isn't in the P.U.D. Alderwoman Whitaker said her or the Committee never intended any of the 1600 block of Olive to be included in the P.U.D.

John Ferry said with an industrial P.U.D. (M-4) in place, outright it doesn't restrict anything, but it gives the Plan Commission the right to restrict uses as it see fit to restrict. (In Zoning Ord. #3818 an Industrial P.U.D. is M-4) To clarify, the developments are to be connected but are not the same. Downtown and Lincoln Place are commercial C-6 developments. This P.U.D. doesn't preclude any industrial uses it sits up another level of protection. There are residential areas here and it gives us the ability to protect residential properties from undesired industries such as junk yards.

Laura Andrews said the Arts & Entertainment district is not to be included in the area, the map will be marked to reflect that at the city council meeting of Aug. 21, 2007 at 7:00 p.m.

PUBLIC HEARING CLOSED – Agenda continued:

a) REZONE – M-3 MANUFACTURING TO A PLANNED UNIT DEVELOPMENT (P.U.D.)  
The above property description and Public Hearing review used for this petition review.

MOTION by Crites, seconded by Howard to approve the re-zoning of the M-3 area as described to a Planned Unit Development Industrial District M-4 as outlined by the (corrected) boundaries set out at the beginning of the meeting. Due to no further testimony the board called for a motion.

ROLL CALL: Crites, Ward, Howard, Taylor, Greathouse, Ryan. YES – Luddeke, NO. MOTION PASSED.

b) DOWNTOWN P. U. D. – PLAN REVIEW - 2001 BENTON, OWNER JULIAN WALLACE

Petitioner/property owner Julian Wallace requests approval of individual housing plans for a proposed 19 lot single family housing development located at 2001 Benton Ave., formerly known as the Emerson School property. (19 lots changed to 11 lots at meeting)

BOARD DISCUSSION: Mr. Wallace stated that he wanted to build single family homes in the 2000 block of Benton Ave. He has several designs for 2 story, spit level and ranch homes. Alderman McDowell questioned the lot sizes. Mr. Wallace said they are 50' x 125' but said he is going to increase lot sizes because 50' doesn't allow the garages he wants. He is reducing the 19 lots to 11 making 8 lots 88' wide, 1 lot 86' wide and 2 lots 70' wide.

COMMENTS:

Joann Adcocks on Cleveland said from her back yard she sees single room rentals that Wallace built, they are some of the worst properties and some of the worst renters. She said, I want to make sure this is built right and attractive, the downtown is improving and I want it to go in the right direction. (Mr. Wallace sold property)

Chair Ryan said most homes in that area, have basements. Mr. Wallace said that he will build basements, its difficult to sell a new homes without, he also plans on brick fronts and vinyl siding types, he doesn't know about fire places. Chair Ryan said the board wanted to approve house by house. Steve Willaredt asked if he would have a problem coming back to apply for the next 2 or 3 homes. Mr. Wallace said he wanted to start at least 3 at one time and get permits.

Mr. Ferry asked about his other projects and marketing. Mr. Wallace said he has been building for over 30 years and his last single house was 2021 Delmar. Current market expectations, price and completion time were discussed. Mr. Wallace said the price range is \$120,000 to \$140,000 and would like to complete three by this winter- building them as he goes and trying to keep price under others. Alderman McDowell wanted to make sure what he presents is what he builds.

Ms. Crites said if you say you are going to build a 2 story you have to build it exactly as you present and approved. He said he plans on building the ones you have in front of you. The board discussed the number and type of 2 story and single story homes in the area. He said he would like to start with 2 story and the Hayworth split level. Chair Ryan stated that the homes would have to fit in with the area they wouldn't approve ones that didn't. Board members discussed house heights in the area as well as existing utilities.

Alderwoman Whitaker asked about the slow market and what happens if it doesn't go. He said he would quit building, he said it's my problem, if I was worried about the market I wouldn't have bought the property.

Bob Stoppkotte stated that he didn't know Mr. Wallace or why there was any opposition. He said Benton is mostly one story and any type of new housing construction should improve the area.

Sandra Crites asked Mr. Wallace if he was in good standing with the city, saying this is something we always ask. Mr. Wallace said he didn't owe the city anything. Sandra Crites made a motion to approve and later retracted her motion. There was a lengthy discussion on requiring him to use brick fronts. John Ferry asked that a full set of plans be presented and approved for permits for the first 3 to start. Mr. Willaredt said that our "Scattered Housing" homes are not brick. Mr. Luddeke said most of Emerald Meadows' homes are only partial brick. This board shouldn't be stuck on all brick we need to bring decent housing downtown.

MOTION by Ben Ward, second Don Luddeke to approve with the following restrictions:

1. First 3 houses to be two 2 story, one with vinyl, one with ½ brick front, and 1 tri/bi-level house (Heywood), homes to have 3 car garages and basements.
2. The development to have eleven (11) lots, 1 at 86' x 125', 2 at 70' x 125' and 8 at 80' x 125' with construction done to pre-approved site plans with full plans approved by Steve Willaredt.
3. Any environmental issues are to be addressed before construction.
4. At the end of 6 months Mr. Wallace is to come back to the board for a status review.

ROLL CALL: Crites, NO. Ward, Howard, Taylor, Luddeke, Greathouse, Ryan, YES. MOTION PASSED.

Alderman McDowell commented to Mr. Wallace: In the past you were associated with some developments we were not proud of. Now you have an opportunity to do something we all can be proud of downtown.

#### b) DOWNTOWN P. U. D. – PLAN REVIEW FOR 1801 BENTON

Petitioners GERO Enterprises, LLC / Shapiro Brothers, Inc., requests use of the property zoned M-3 containing 2 parcels of land of 10 acres more or less, in a proposed Planned Unit Development area, for a metal recycling and processing business. This property is also known as Benton Drumming.

BOARD DISCUSSION: Chair Ryan suggested waiting for this review until the City Council made its determination on the industrial P.U.D. Attorney Andrews felt it was best to hear their petition.

Mr. Gregg Shapiro gave a brief history of his company explaining that it is an old and established family business going back to 1946. He said we are a scrap company a metal recycler doing business in many states. We are looking at this facility as a transfer company, processing is done in Festus, we will not process here. Here we will transfer scrap that comes in. He showed pictures of the area. Rails and trucks are our life blood, we will tear down old buildings, put up a privacy fence, and lay rails, they will be away from Niedringhaus and Relax Inn. He said although John Ferry says this is a junk yard, (it meets the guide lines of a junk yard) we don't sell parts and don't have mountains of scrap. It comes in by rail/truck and goes out.

Chair Ryan asked how long does the scrap stay and is it under cover or sitting out on the property?

Laura Andrews asked again, can you estimate how long the scrap will sit on the property?

Mr. Shapiro said he couldn't say there can always be unknown hold ups, traditionally we don't hold materials, it is dollars to us to get it out. He said we have our own RR cars and trucks, we don't work after dark and our hours will be 8 am to 6 pm. Truck routes were discussed and how they may affect city streets.

Bob Stoppkotte said he has been fighting truck traffic for almost 2 years and the truck traffic is tearing up his building. He would like trucks to use the 16<sup>th</sup> St. Truck Rt. He opposes a junk yard.

Mr. Willaredt reported the truck route would be worked out by the City Council. He also said that if this petition was allowed they would have to remove any hazards bringing the property up to environmental standard.

Mr. Shapiro said that there are things now on site they have to remediate for the health of our employees and they will meet EPA standards.

Laura Andrews asked, regarding the Niedringhaus corridor, will any of your operations be visible?

Mr. Luddeke also asked if there would be visible sign of the operation. Ms. Crites asked how he thought scrap piles wouldn't be seen from the road.

Mr. Shapiro said there would be no large mounds of scrap, they plan a blind fence, will work with city to build fence they are happy with. Our cranes fit under power lines, and we will be operating behind a 25' building. '.

Ms. Howard said the mounds would be visible, no fence could hide that.

Mr. Shapiro said that they could put in trees as a buffer and said mounds would be below the height of the buildings. He referred to his pictures and plats. He said this will not be conspicuous, but it will be convenient to the local buyers. The petitioner's pictures were given to the Zoning Administrator. Mr. Shapiro said we will have 3 to 5 employees for now we don't want to go too fast. There will no smelting or processing scrap at this location. We will meet mandated noise levels and EPA requirements. We will have 10 to 30 trucks a day. Although we are classified as a junk yard, we are not a junk yard. We are a service business and environmentally friendly.

Mr. Stoppkotte, said, remember Chemetco, they were "scrap metal" recyclers who went out of business and left mounds of contaminated fluids and scrap to be cleaned up. If the board allows this, please, set limits on height of the mounds and no smelting, no shredding, and no processing should be done in this area. Trucks go too fast now, homes are on the 1600 and 1700 blocks of Cleveland, this is residential and kids live there.

Mr. Ben Butterworth with Rail Partners 2267 Lewis Ln., VillaRidge MO, said they have a contract with the adjacent site Kern Property for display of antique passenger cars which will be in more of a museum type area. We will have \$1,000,000 and \$2,000,000 passenger cars on that property along Niedringhaus Avenue. My question is about noise and dust. We need it as dust free as possible in a museum type atmosphere.

Mr. Shapiro said we do not perceive us causing much of a dust problem most of the site will be concreted any chat that is exposed will be sprayed as far as noise there will be some minimal processing.

Sandra Crites asked what is minimal.

Mr. Shapiro replied it isn't heavy duty, it is running scrap equipment if a piece comes in too big. It may be torched, that is minimal making smaller pieces to fit the specifications of the buyers. We would bring in subcontractors because it isn't cost effective to send it to Festus.

Chair Ryan asked if there would be a problem with the two businesses operating at this location.

Mr. Shapiro said they would work together to have screening and security.

Mr. Butterworth said we have to preserve a museum type atmosphere and there would have to be some type screening and security, we will not dismantle rail cars at this site.

Steve Zuber of the Barbra Murphy Group, said these properties have been listed for several years and they are buying because it is industrial and has rail service and this will clean up the area.

Mr. Shapiro and board members discussed what the expectations were to operate his business, pile height, smell, noise and what would or would not be acceptable to the city.

John Ferry discussed the typical plan of practice regarding the height of piles and number of days allowed on site without moving. He asked Zoning Administrator Steve Willaredt how close the operation would be to residential units.

Mr. Willaredt said required distance between junk yards and residential is 500 ft., this would be about 300 ft. from the actual operation, and from property line to property line it is just across the street.

Mr. Ferry said a junk yard isn't normally something Granite City would let this close to residential housing and is not allowed by code.

Mr. Shapiro said he is asking for a variance if this is the situation because we are defined as a junk yard and closer than your codes allow. Although the residential is light industrial.

Ms. Ryan said that since this is a P. U. D. if allowed you should be fine.

Alderman McDowell said that he is concerned about quality of life for city residents and the impact of more trucks on our streets

Mr. Ferry asked Mr. Butterworth, based upon what you heard tonight would there be anything to stop or detract from the rail project.

Mr. Butterworth said if it were screened properly, no. Expansion of their property and expansion of our property may change things down the road. I don't see a problem now.

MOTION by Sandra Crites, seconded by Ward to approve the proposed P.U.D. upon the approval of the City Council with the following conditions:

- 1) Scrap piles on the property are limited to 25' in height.
- 2) As a pattern of practice scrap piles may not sit on site and are limited to 30 days.
- 3) Minimal process with no shredding or smelting allowed.
- 4) Screening (blind fence) required on the Niedringhaus side and adjacent properties.
- 5) Buildings to be demolished shall be down within 6 months.
- 6) No change in ownership, use, or intensification of use, without coming back to the Plan Commission for review.
- 7) Scrap piles are not to be visible.
- 8) Any additional lighting to be directed on owner's property and away from residential property.
- 9) Noise level as directed by IEPA standards with approval of the City Engineer.
- 10) Area is to be secured.
- 11) Variance granted, if a variance is required, as to the distance from residential units.

ROLL CALL: (Greathouse excused) Crites, Ward, Howard, Taylor, YES. Luddeke, Ryan NO.

MOTION PASSED 4 - 2.

5. PLAT REVIEW: The Villas of Westmoreland, Phase 2

Alderman McDowell said attorneys for the Villas have stated we do not have authority to review their plat, therefore we should not allow any permits until we determine if we have an ordinance to govern such review. If not, an ordinance is to be developed immediately.

MOTION by Ryan, second by Crites: To have City Attorney review ordinances and codes to determine if they cover city's right to review condominiums and villas, more specifically #3818 Sec. 3-4 and 9-2.8, and Title 16 of the municipal code. If ordinances and or codes do not cover, amend ordinances and/or codes and any other such changes regarding residential housing trends not covered, including definitions covering changing trends in residential housing. MOTION APPROVED

6. OLD/NEW BUSINESS:

Steve Willaredt said at one time an appliance store was brought up for 1901 State. He asked if it could be approved without coming back to the board. Chair Ryan said they had approval for retail on the street level.

Request review and/or amending ordinances for City Attorney:

1) Steve Willaredt requested and Commission agreed that Article 6, Sec. 6-2.4 be reviewed and the ordinance amended to include more specific language regarding driveways and how they are to be paved. This will bring ordinance language in line with the city's past practice requiring all driveways to be paved.

2) Sandy Crites asked and Commission agreed that the Telecommunication Ordinance passed in June to be re-reviewed and brought back in September.

8. ADJOURNMENT:

Motion to adjourn by Howard, second Taylor. Motion passed.

Respectfully Submitted,



Plan Commission Secretary

cc: Mayor/City Council/Attorneys  
City Clerk/Commission

# PLAN COMMISSION ADVISORY REPORT

Aug. 2, 2007

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PETITIONER: City of Granite City

REQUEST: RE ZONING – M-3 Manufacturing to a Planned Unit Development District

Beginning at the intersection of 16<sup>th</sup> St. and Cleveland Blvd., proceeding to 18<sup>th</sup> St., proceeding to Benton St., proceeding to 19<sup>th</sup> St., proceeding to the North line of the Northeast Quarter of Section 24, Township 3 North, Range 10 West, proceeding to the West line of the Northeast Quarter of Section 24, proceeding to Niedringhaus Ave., proceeding to Walnut St., proceeding to an alley, proceeding to Chestnut St., proceeding to the North line of parcel No. 22-1-19-24-10-101-002, proceeding West to an alley, proceeding South and West to Olive St., proceeding to Chicago Ave., proceeding East to 16<sup>th</sup> St. and returning to the intersection of 16<sup>th</sup> St., and Cleveland Blvd. (Rezoning will expand the Downtown Planned Unit Development Area)

FINDING OF FACT: Recommendations and reasons thereof: If the proposed amendment alters district boundaries or changes the status of any use, the Plan Commission shall report findings concerning each of the following:

- a) Existing use(s) and zoning of property in question: *M-3 Manufacturing.*
- b) Existing use(s) and zoning of other lots in the vicinity of the property in question: *M-3 Manufacturing, R-3 Residential, some abutting areas are in P. U. D. overlay districts in the vicinity.*
- c) Suitability of the property in question for uses already permitted under existing regulations: *Suitable*
- d) Suitability of property in question for proposed use: *To be determined by following P. U. D. criteria.*
- e) Trend of development in the vicinity of the property in question, including changes (if any) which may have occurred since the property was initially zoned or last re-zoned: *No trend in uses – area trend is to incorporate P. U. D. reviews.*
- f) The effect proposed re-zoning would have on implementation of the City's Comprehensive Plan: *Although a rezoning, allowable uses will remain, only the criteria for approval is to be changed.*

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MOTION by Crites, seconded by Howard to approve the re-zoning of the M-3 area as described to a Planned Unit Development Industrial District M-4 as outlined by the (corrected) boundaries set out at the beginning of the meeting. Due to no further testimony the board called for a motion.

ROLL CALL: Crites, Ward, Howard, Taylor, Greathouse, Ryan. YES – Luddeke, NO. MOTION PASSED

\*\*\*\*\*  
EX. Excused absence UN. Unexcused absence

## ROLL CALL

Sandra Crites	yes	Jack Taylor	yes
John Janek	absent (ex)	Ben Ward	yes
Sharon Ryan	yes	Shirley Howard	yes
Jerry Harrington Jr.	absent	Mark Davis	absent
Mark Wilson	absent	Don Luddeke	NO
Frank Greathouse	yes		

AUG. 2, 2007

CHAIRMAN: Sharon Ryan

# PLAN COMMISSION ADVISORY REPORT

Aug. 2, 2007

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PETITIONER: Julian Wallace

LOCATION: 2001 BENTON – formerly known as Emerson School Property

REQUEST: Approval of individual housing plans for a proposed 19 lot single family housing development located at 2001 Benton Ave. (lot number changed to 11 lots)

FINDING OF FACT: Recommendations and reasons thereof: If the proposed amendment alters district boundaries or changes the status of any use, the Plan Commission shall report findings concerning each of the following:

- a) Existing use(s) and zoning of property in question: Planned Unit Development in residential overlay area.
- b) Existing use(s) and zoning of other lots in the vicinity of the property in question: R-3 residential and C-4 Commercial - in a Planned Unit Development area.
- c) Suitability of the property in question for uses already permitted under existing regulations: Suitable
- d) Suitability of property in question for proposed use: Suitable
- e) Trend of development in the vicinity of the property in question, including changes (if any) which may have occurred since the property was initially zoned or last re-zoned: Trend has changed to Planned Unit Development areas.
- f) The effect proposed re-zoning would have on implementation of the City's Comprehensive Plan: This is not a rezoning, use will not change from single family.

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MOTION by Ben Ward, second Don Luddeke to approve with the following restrictions:

1. First 3 houses to be two 2 story, one with vinyl, one with ½ brick front, and 1 tri/bi-level house (Heywood), homes to have 3 car garages and basements.
2. The development to have eleven (11) lots, 1 at 86' x 125', 2 at 70' x 125' and 8 at 80' x 125' with construction done to pre-approved site plans with full plans approved by Steve Willaredt.
3. Any environmental issues are to be addressed before construction.
4. At the end of 6 months Mr. Wallace is to come back to the board for a status review.

ROLL CALL: Crites, NO. Ward, Howard, Taylor, Luddeke, Greathouse, Ryan, YES. MOTION PASSED.

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EX. Excused absence UN. Unexcused absence

## ROLL CALL

Sandra Crites	NO	Jack Taylor	yes
John Janek	absent	Ben Ward	yes
Sharon Ryan	yes	Shirley Howard	yes
Jerry Harrington Jr.	absent	Mark Davis	absent
Mark Wilson	absent	Don Luddeke	yes
Frank Greathouse	yes		

AUG. 2, 2007

CHAIRMAN: Sharon Ryan



# PLAN COMMISSION ADVISORY REPORT

Aug. 2, 2007

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PETITIONER: GERO Enterprises, LLC / Shapiro Brothers, Inc.

LOCATION: 1801 BENTON – Zoned M-3 formerly known as Benton Drumming.  
2 parcels of land containing 10 acres more or less

REQUEST: Request for approval (in a proposed P. U. D.) for a metal recycling and processing business.

FINDING OF FACT: Recommendations and reasons thereof: If the proposed amendment alters district boundaries or changes the status of any use, the Plan Commission shall report findings concerning each of the following:

- a) Existing use(s) and zoning of property in question: Planned Unit Development in proposed manufacturing overlay area (M-4).
- b) Existing use(s) and zoning of other lots in the vicinity of the property in question: M-3 manufacturing with some Commercial and R-3 residential- located in a proposed Planned Unit Development area.
- c) Suitability of the property in question for uses already permitted under existing regulations: Suitable
- d) Suitability of property in question for proposed use: Suitable
- e) Trend of development in the vicinity of the property in question, including changes (if any) which may have occurred since the property was initially zoned or last re-zoned: Planned Unit Development area trend.
- f) The effect proposed re-zoning would have on implementation of the City's Comprehensive Plan: Use will not change from current uses allowed in M-3 manufacturing (will be an M-4).

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MOTION by Sandra Crites, seconded by Ward to approve the proposed P.U.D. upon the approval of the City Council with the following conditions:

- 1) Scrap piles on the property are limited to 25' in height.
  - 2) As a pattern of practice scrap piles may not sit on site and are limited to 30 days.
  - 3) Minimal process with no shredding or smelting allowed.
  - 4) Screening (blind fence) required on the Niedringhaus side and adjacent properties.
  - 5) Buildings to be demolished shall be down within 6 months.
  - 6) No change in ownership, use, or intensification of use, without coming back to the Plan Commission for review.
  - 7) Scrap piles are not to be visible.
  - 8) Any additional lighting to be directed on owner's property and away from residential property.
  - 9) Noise level as directed by IEPA standards with approval of the City Engineer.
  - 10) Area is to be secured.
  - 11) Variance granted, if variance required, as to the distance from residential units. ROLL CALL: (Greathouse excused)
- Crites, Ward, Howard, Taylor, YES. Luddeke, Ryan NO. MOTION PASSED
- \*\*\*\*\*

EX. Excused absence UN. Unexcused absence

## ROLL CALL

Sandra Crites	yes	Jack Taylor	yes
John Janek	absent	Ben Ward	yes
Sharon Ryan	NO	Shirley Howard	yes
Jerry Harrington Jr.	absent	Mark Davis	absent
Mark Wilson	absent	Don Luddeke	NO
Frank Greathouse	-- left meeting		

AUG. 2, 2007

CHAIRMAN: Sharon Ryan

Request by Plan Commission for  
CITY ATTORNEYS  
To review and/or develop or amend codes and ordinances

1) PLAT REVIEW: The Villas of Westmoreland, Phase 2

Alderman McDowell said attorneys for the Villas have stated we do not have authority to review their plat, therefore we should not allow any permits until we determine if we have an ordinance to govern such review. If not, an ordinance is to be developed immediately.

MOTION by Ryan, second by Crites: To have City Attorney review ordinances and codes to determine if they cover city's right to review condominiums and villas, more specifically #3818 Sec. 3-4 and 9-2.8, and Title 16 of the municipal code. If ordinances and or codes do not cover, amend ordinances and/or codes and any other such changes regarding residential housing trends not covered, including definitions covering changing trends in residential housing. MOTION APPROVED by Common Consent.

2) ORDINANCE/CODE REVIEWS requesting Ordinances or Amendments

A) Steve Willaredt requested and Commission agreed that Article 6, Sec. 6-2.4 be reviewed and the ordinance amended to include more specific language regarding driveways and how they are to be paved. This will bring ordinance language in line with the city's past practice requiring all driveways to be paved.

B) Sandy Crites asked and Commission agreed that the Telecommunication Ordinance passed in June to be re-reviewed and brought back in September.